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Paper No. 5

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JUL 15 2002

OFFICE OF PETITIONS

In re Application of :
O'Hara et al. : DECISION GRANTING
Application No. 10/076,934 : PETITION
Filed: 15 February, 2002 :
Attorney Docket No. GNN-028 :

This is a decision on the petition under 37 CFR 1.10(c) filed on 19 June, 2002, requesting that the above-identified application be accorded a filing date of 15 February, 2002, rather than the presently accorded filing date of 19 February, 2002.

Petitioner alleges that the application was deposited in Express Mail service on 15 February, 2002. In support, on 19 June, 2002, petitioner supplied a copy of Express Mail Label No. EL939865930US (the same Express Mail number found on the provisional application cover sheet accompanying the original application papers located in the official file). Although the "date-in" on the Express Mail label is not legible, the Express Mail label also contains a USPS postmark dated 15 February, 2002.

In view of the above, the petition is granted. No petition fee is required and none has been charged.

The application is being returned to the Office of Initial Patent Examination (OIPE) for correction of the filing date to 15 February, 2002, and for issuance of a corrected Filing Receipt.

Telephone inquiries specific to this matter should be directed to the undersigned at (703) 308-6918.

Douglas I. Wood
Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

Date has
been
corrected